

Article - Health - General

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§19–1401.

(a) In this subtitle the following words have the meanings indicated.

(b) “Actual harm deficiency” means a condition existing in a nursing home or an action or inaction by the nursing home staff that has caused physical or emotional injury or impairment to a resident.

(c) “Concurrent review” means daily rounds by a licensed nurse which include:

(1) Appraisal and observation of each resident by the licensed nurse to determine any change in the resident’s physical or mental status; and

(2) If there is a change in the resident’s physical or mental status, an evaluation by the licensed nurse of:

(i) The resident’s medications;

(ii) Laboratory values relating to the resident;

(iii) Clinical data relating to the resident, including the resident’s:

1. Hydration and nutritional need;

2. Skin integrity;

3. Noted weight changes; and

4. Appetite;

(iv) Injuries sustained by the resident that result from accident or incidents involving the resident; and

(v) Any other relevant parameters affecting or reflecting the resident’s physical and mental status.

(d) “Deficiency” means a condition existing in a nursing home or an action or inaction by the nursing home staff that results in potential for more than minimal harm, actual harm, or serious and immediate threat to one or more residents.

(e) “Nursing home” means a facility (other than a facility offering domiciliary or personal care as defined in Subtitle 3 of this title) which offers nonacute inpatient care to patients suffering from a disease, chronic illness, condition, disability of advanced age, or terminal disease requiring maximal nursing care without continuous hospital services and who require medical services and nursing services rendered by or under the supervision of a licensed nurse together with convalescent, restorative, or rehabilitative services.

(f) “Ongoing pattern” means the occurrence of any potential for more than minimal harm or greater deficiency on two consecutive on-site visits as a result of annual surveys, follow-up visits, any unscheduled visits, or complaint investigations.

(g) “Potential for more than minimal harm deficiency” means a condition existing in a nursing home or an action or inaction by the nursing home staff that has the potential to cause actual harm to a resident.

(h) “Serious and immediate threat” means a situation in which immediate corrective action is necessary because a nursing home’s noncompliance with one or more State regulations has caused or is likely to cause serious injury, harm, impairment to, or death of a resident receiving care in the nursing home.

(i) “Sustained compliance” means a period of 30 days following the date of notice of corrective action with no deficiencies.

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